

### **COMMENTS**

The enclosed is responsive to the Examiner's Office Action mailed on December 17, 2009. At the time the Examiner mailed the Office Action claims 1-6, 8 and 10-34 were pending. By way of the present response the Applicant has: 1) amended claims 1, 17, 24 and 30; and, 2) has not canceled or added any claims. As such claims 1-6, 8 and 10-34 remain pending. The Applicant respectfully requests reconsideration of the instant application and the allowance of claims 1-6, 8 and 10-34.

The Examiner has rejected independent claims 1, 17, 24 and 30 under 35 USC 103 as being obvious in view of the Lok (U.S. Pub. Pat. No. 2003/0182469), Suzuki (U.S. Pat. No. 6,331,851) and Mallart (U.S. Pat. No. 6,557,041) references. Each of independent claims 1, 17, 24 and 30 are substantially directed to the passing of the following information over a network:

- i) a [motion] command;
- ii) a control flag;
- iii) an index [to reference an image object];
- iv) display co-ordinates; and
- v) a time period [over which animation, specified by the motion command, is to be applied to the image object at a transition rate specified by the control flag].

The Applicant respectfully submits that neither the Lok, Suzuki nor Mallart references disclose or suggest the transportation of the above listed information over a network.

The Lok reference disclose some form of control executed by a server over subject matter displayed at a remote client. However, the precise collection of specific information that is passed from client to the server over a network does not appear to be thoroughly described. The most descriptive paragraphs that the Applicant could find appear to be paragraphs [0050], [0057], [0058] and [0060]. Paragraph [0050] only states that the server sends a remote process invocation to the client for “drawing the graphics or generating events on the remote client”. Paragraphs [0057] – [0058] merely state the existence of communication from the server to the client. Paragraphs [0060] indicates that the server may pass a command to the client to create a “JButton”. It is quite clear to the Applicant that, when viewed in a light most favorable to the Examiner’s position (and without the Applicant admitting to as much), at most, Lok only discloses a motion command and/or index. As such, Lok falls far short of disclosing the specific collection of information that is passed over a network as recited in the Applicant’s claims.

The Suzuki reference discloses the passing of “scenario data” from the server to the client where the scenario data “specifies a three-dimensional character to display and defines a combination order of motions required to move the three-dimensional character [(specifically, the scenario data includes a list of motion IDs that specify motions)]”. See, Suzuki, Fig. 1 and Col. 8, lines 60-67. The Applicant respectfully submits that, again when viewed in a light most favorable to the Examiner’s position (and without the Applicant admitting to as much), Suzuki’s scenario data at most suggests the existence of the

Applicant's claimed index and motion command. Thus, like Lok, Suzuki simply falls short of disclosing the specific collection of information that is passed over a network.

Mallart discloses that "[a]nimation is considered a sequence of states...[and]...state information is sent to the clients instead of the graphics data itself." When pressed for more details, however, the Mallart reference seems to described little more than clients are told to move certain objects. Like Suzuki, this disclosure at most (and without the Applicant admitting to as much), might suggest the Applicant's claimed index and motion command. Thus, again, the cited reference falls short of disclosing the complete combination of information that is passed over a network.

As such the Applicant respectfully submits that the Examiner's theory of rejection does not disclose nor suggest each and every one of the Applicant's claim limitations. Therefore the Applicant respectfully requests the allowance of the instant application.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

**CONCLUSION**

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

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